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**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

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 In re : Chapter 11  
 :  
 DOWLING COLLEGE, :  
 f/d/b/a DOWLING INSTITUTE, : Case No. 16-75545 (REG)  
 f/d/b/a DOWLING COLLEGE ALUMNI :  
 ASSOCIATION, :  
 f/d/b/a CECOM, :  
 a/k/a DOWLING COLLEGE, INC., :  
 :  
 Debtor. :  
 -----X

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON APRIL 10, 2017 AT 10:00 A.M.**

<b><u>Time and Date of Hearing:</u></b>	April 10, 2017 at 10:00 a.m. (Eastern Time)
<b><u>Location of Hearing:</u></b>	Courtroom of the Honorable Robert E. Grossman, United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza, Courtroom 860, Central Islip, New York 11722
<b><u>Copies of Motions and Applications:</u></b>	The Motions and Applications may be viewed on the Court's website ( <a href="http://www.nyeb.uscourts.gov/">http://www.nyeb.uscourts.gov/</a> ) with a login and password to the Court's Public Access to

	Court Electronic Records and copies of such documents can be obtained from the Debtor's noticing agent, Garden City Group, LLC at <a href="http://cases.gardencitygroup.com/dco">http://cases.gardencitygroup.com/dco</a> .
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I. **Uncontested Matters:**

1. Adjourned Status Hearing

**Related Documents:**

- A. Order Scheduling Initial Case Management Conference [DE 74]

**Status:** This matter is going forward.

2. Application for Entry of Order Directing Examination of KPMG LLP by an Authorized Partner or Person with Knowledge of Debtor's Business Transactions and Production of Documents Pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure [DE 243]

**Related Documents:**

- A. Stipulation By and Between the Official Committee of Unsecured Creditors and KPMG LLP Resolving the Committee's Bankruptcy Rule 2004 Application [DE 265]

**Status:** This matter has been resolved and is not going forward.

3. Debtor's Application for Entry of an Order Authorizing the Retention and Employment of Hilco Streambank as Broker for the Debtor *Nunc Pro Tunc* to March 14, 2017 [DE 238]

**Related Documents:**

- A. Affidavit of Service [DE 244]

**Status:** This matter is going forward.

4. Debtor's Motion for an Order Establishing Procedures for the Sale of the Debtor's IP Addresses [DE 239]

**Related Documents:**

- A. Affidavit of Service [DE 244]

**Status:** This matter is going forward.

5. Debtor's Motion for an Order Approving and Authorizing Implementation of Procedures for Identification of and Potential Disposition of Certain Personal Property [DE 240]

Related Documents:

- A. Affidavit of Service [DE 244]

Status: This matter is going forward.

6. Debtor's Motion for Entry of Interim and Final Orders (I) Authorizing Debtor (A) to Obtain Post-Petition Secured, Superpriority Financing Pursuant to 11 U.S.C. §§ 105, 361, 362, 363, and 364 and (B) to Utilize Cash Collateral Pursuant to 11 U.S.C. § 363; (II) Granting Adequate Protection to Pre-Petition Secured Creditors Pursuant to 11 U.S.C. §§ 361, 362, 363 and 364; and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rules 4001(B) and 4001(C) (the "DIP Financing and Cash Collateral Motion") [DE 9]

Responses Received:

- A. Committee's Limited Opposition to Entry of Final Order Authorizing Debtor in Possession Financing [DE 138]

Related Documents:

- B. Affidavits of Service of DIP Financing and Cash Collateral Motion [DE 57, 58]
- C. Emergency Order (I) Authorizing Debtor to Obtain PostPetition Financing and Use Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling an Interim Hearing, and (IV) Granting Certain Related Relief [DE 63]
- D. Second Emergency Order (I) Authorizing Debtor to Obtain PostPetition Financing and Use Cash Collateral, (II) Granting Adequate Protection, (III) Scheduling a Final Hearing, and (IV) Granting Certain Related Relief [DE 121]
- E. Notice of Filing of Approved Budget in Relation to Authorized DIP Financing Through Period Ended March 17, 2017 [DE 151]
- F. Order Authorizing Debtor to Continue to Obtain Postpetition Financing and Use Cash Collateral [DE 235]

Status: This matter is going forward. The Debtor will request that the Court grant further interim relief through the week ended May 26, 2017.

7. Debtor's *Ex Parte* Application for Entry of a Scheduling Order and Debtor's Motion for Entry of (I) an Order (A) Approving Bidding Procedures for the Sale of the Debtor's Oakdale Campus, (B) Scheduling an Auction and a Sale Hearing Related Thereto, (C) Approving the Form of Notice of the Auction and Sale Hearing, (D) Approving a Termination Fee and Expense Reimbursement; and (II) an Order (A) Approving Such Sale of the Oakdale Campus Free and Clear of Liens, Claims, Encumbrances and Other Interests, (B) Allowing the Payment of Certain Valid Lien Claims and (C) Related Relief (the "Sale Motion") [DE 13]

Responses Received:

- A. Karl Silverberg's Declaration in Opposition on Creditor Powerhouse Paving's Behalf [DE 56, 59]

Related Documents:

- B. Affidavits of Service of the Sale Motion [DE 57, 58, 64]
- C. Order Authorizing Sale of Oakdale Campus and Related Procedures [DE 111]
- D. Affidavit of Service of (i) Order Authorizing Sale of Oakdale Campus and Related Procedures and (ii) Notice of Auction and Hearing to Consider Approval of the Sale of the Debtor's Oakdale Campus [DE 120]
- E. Affidavit of Publication (Newsday) [DE 148]
- F. Affidavit of Publication (Wall Street Journal, New York Edition) [DE 149]
- G. Debtor's Application for Entry of an Order Approving a Termination Fee and Expense Reimbursement to Vanderbilt Palace LLC in Accordance with the Terms of the Purchase Agreement (the "Stalking Horse Application") [DE 246]
- H. Ex Parte Motion of the Debtor to Shorten Time with Respect to the Hearing on the Debtor's Application for Entry of an Order Approving a Termination Fee and Expense Reimbursement to Vanderbilt Palace LLC in Accordance with the Terms of the Purchase Agreement [DE 247]
- I. Order Shortening Time with Respect to the Hearing on the Debtor's Application for Entry of an Order Approving a Termination Fee and Expense Reimbursement to Vanderbilt Palace LLC in Accordance with

the Terms of the Purchase Agreement (the “Order Shortening Time”) [DE 248]

- J. Committee’s Opposition to Debtor’s Application for Entry of an Order Approving a Termination Fee and Expense Reimbursement to Vanderbilt Palace LLC in Accordance with the Terms of the Purchase Agreement [DE 257]
- K. Order Denying Debtor’s Application to Approve a Termination Fee and Expense Reimbursement to Vanderbilt Palace LLC in Accordance with the Terms of the Purchase Agreement [DE 266]
- L. Amended Notice of Bid Deadline and Auction for the Sale of the Debtor’s Oakdale Campus (the “Amended Notice of Bid Deadlines”) [DE 250]
- M. Affidavit of Service of Stalking Horse Application, Order Shortening Time and Amended Notice of Bid Deadlines [DE 253]
- N. Debtor’s Supplemental Statement in Support of its Motion for an Order Pursuant to Sections 105(a), 363, and 365 of the Bankruptcy Code Approving Sale of the Debtor’s Oakdale Campus Free and Clear of the Debtor’s Oakdale Campus and Clear of Liens, Claims, Encumbrances, and Other Interests (the “Supplemental Statement”) [DE 271]
- O. Declaration of Robert S. Rosenfeld, Chief Restructuring Officer of the Debtor, in Support of the Debtor’s Motion for an Order Pursuant to Sections 105(a), 363, and 365 of the Bankruptcy Code Approving Sale of the Debtor’s Oakdale Campus Free and Clear of the Debtor’s Oakdale Campus and Clear of Liens, Claims, Encumbrances, and Other Interests (the “Rosenfeld Declaration”) [DE 272]
- P. Affidavit of Service of the Supplemental Statement and Rosenfeld Declaration

Status: This matter is going forward.

II. **Adversary Proceeding, Lori Zaikowski on behalf of herself and all others similarly situated v. Dowling College, et al.**, Adv. Case No. 16-08178 (REG):

- 8. Plaintiff’s Motion for Class Certification and Related Relief [Adv. Proc. DE 11]

Related Documents:

- A. Memorandum of Law in Support of Plaintiff’s Motion for Class Certification and Other Relief [Adv. Proc. DE 12]

B. Notice of Hearing on Plaintiff's Motion for Class Certification and Related Relief [Adv. Proc. DE 13]

Status: The parties have entered into a proposed stipulation and order adjourning the hearing date on the motion for class certification and other relief.

Dated: New York, New York  
April 7, 2017

**KLESTADT WINTERS JURELLER  
SOUTHARD & STEVENS, LLP**

By: /s/ Sean C. Southard

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